

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

| | | |
|------------------------------|---|-------------------|
| SB INITIATIVE, INC., |) | |
| |) | |
| Plaintiff/Counter-Defendant, |) | |
| |) | NO. 3:24-cv-00821 |
| v. |) | JUDGE RICHARDSON |
| |) | |
| CHEEKWOOD BOTANICAL GARDEN |) | |
| AND MUSEUM OF ART, |) | |
| |) | |
| Defendant/Counter-Plaintiff. |) | |

ORDER

Pending before the Court is Defendant/Counter-Plaintiff's motion for temporary restraining order and preliminary injunction (Doc. No. 17, "Motion") with an accompanying memorandum in support of the Motion (Doc. No. 18) with supporting declarations (Doc. Nos. 19-22). Plaintiff/Counter-Defendant filed a response in opposition to the Motion (Doc. No. 32, "Response") with supporting declarations (Doc. Nos. 33-34). Defendant/Counter-Plaintiff filed a reply to the Response (Doc. No. 35, "Reply") with a supporting declaration (Doc. No. 36), to which Plaintiff/Counter-Defendant filed a sur-reply (Doc. No. 39, "Sur-Reply") with leave from the Court.

For reasons to be stated in a forthcoming memorandum opinion, the Motion is DENIED IN PART AND DEFERRED IN PART. Specifically, the Motion is denied as to its request for a TRO and is deferred as to its request for a preliminary injunction.

A preliminary injunction hearing shall be set, via separate order, as soon as feasible given the Court's busy trial calendar. Such order shall prescribe the parameters for the hearing, including

the amount of time for each side to present evidence and the matters on which the parties should plan to present evidence.

IT IS SO ORDERED.


ELI RICHARDSON
UNITED STATES DISTRICT JUDGE